## IN THE SUPREME COURT OF THE STATE OF HAWAI'I

STATE OF HAWAI'I, Respondent/Plaintiff-Appellee

vs.

WESLEY D. CHING, Petitioner/Defendant-Appellant

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS (CR. NO. 02-1-2568)

ORDER DENYING APPLICATION FOR WRIT OF CERTIORARI

(By: Acoba, J., for the court1)

The Application for Writ of Certiorari filed on November 24, 2004 by Petitioner/Defendant-Appellant Wesley D. Ching is hereby denied.

DATED: Honolulu, Hawai'i, December 6, 2004.

FOR THE COURT:

Associate Justice

Michael G.M. Ostendorp and Shawn A. Luiz, on the writ.

 $<sup>^{\</sup>rm 1}$  Considered by: Moon, C.J., Levinson, Nakayama, Acoba, and Duffy, JJ.